IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 999 of 2005

Between:

Cheruku Ashok, S/o Cheruku Yellaiah,
R/o 3-40, Ismailkhanguda Village, Ghatkesar Mandal,

Ranga Reddy District.

... PETITIONER

AND

1 The Commissioner of Police, Cyberabad, Lakdikapool, Hyderabad.
2 The Station House Officer, P.S. Ghatkesar, Ranga Reddy District.
3 Cheruku Swamy, S/o Sattaiah,
4 Cheruku Nagesh, s/o Sattaiah,
5 Cheruku Anjaiah, s/o Sattaiah,
Respondents 3 to 5 all are R/o Ismailkhanguda Village,

Ghatkesar Mandal, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or orders one in the nature of writ of mandamus by declaring the inaction of the respondent No.2 for calling and harassing the petitioner and his family members to the police station on the instigation of respondents 3 to 5 to settle the civil dispute in respect of Agricultural land bearing Sy.No. 18, total admeasuring 11 acres 38 guntas situated at Ismailkhanguda Village, Ghatkesar Mandal, Ranga Reddy District when the matter is subjudiced before the District Judge, Ranga Reddy District in CMASP. 9248/2004 and before the Prl. Junior Civil Judge, East and North, Ranga Reddy District in O.S.No.1659/03 and declare the same, as totally illegal, arbitrary against the principle of natural justice.

Counsel for the Petitioner:MR.SURESH SHIV SAGAR

Counsel for the Respondent No1.1&2: GP FOR HOME

The Court at the admission stage made the following :

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O R D E R:

The petitioner alleges that the second respondent is interfering with certain disputes between himself and respondents 3 to 5. In the affidavit filed in support of the writ petition, it is stated that the respondents 3 to 5 filed O.S.No.1659 of 2003, against the petitioner, in the Court of Junior Civil Judge, East & North, Rangareddy District, for the relief of injunction, and even while the enquiry into the application for vacating the interim injunction granted therein is pending, the second respondent is requiring the petitioner and his family members to attend the police station.

A counter affidavit is filed on behalf of the respondents 1 and 2. It is stated that a complaint was received from respondents 3 to 5, alleging that the petitioner is interfering with their possession over the said land, and on noticing that the dispute is civil in nature, the second respondent has advised the complainants to work out their remedies in the concerned court. He flatly denied the allegation of the petitioner that the petitioner was required to attend the police station, etc.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

The grievance of the petitioner is about the alleged interference of the second respondent in the civil dispute, between himself and respondents 3 to 5. In his counter affidavit, the second respondent categorically stated that he did not interfere in the matter, nor does he proposes to do so.

In view of this categorical assertion, the writ petition is disposed of, recording the statement made by the second respondent in his counter affidavit. There shall be no order as to costs.

8th February, 2005

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To

1 The Commissioner of Police, Cyberabad, Lakdikapool,

Hyderabad.
2 The Station House Officer, P.S. Ghatkesar,

Ranga Reddy District.
3 Two C.Cs. to the Government Pleader for Home,

High Court buildings, Hyderabad (OUT)

4 Two C.D.copies